**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**ORDINARY ORIGINAL CIVIL JURISDICTION**

**NOTICE OF MOTION NO.2078 OF 2003**
**IN**
**INCOME TAX APPEAL (LODG.) NO.687 OF 2003**

The Commissioner of Income Tax - 18,
Mumbai .. Appellant

V/s

M/s.Fashion Wear .. Respondent

Mr.R.G.Bhat for the Appellant.
Mr.A.K.Jasani for the Respondent.

**CORAM : DR.S.RADHAKRISHNAN &**
**J.P.DEVADHAR, JJ.**

**DATE : 5th March, 2007.**

**P.C.:**

1. Heard the learned Counsel for the parties. Perused the affidavit in support of the Notice of Motion. For the reasons stated therein, sufficient cause is made out for condonation of delay caused in filing the Appeal. There is no case of inaction, negligence or want of bonafide on the part of the Appellant. Hence, Notice of Motion is made absolute in terms of prayer clause (a).

2. Place the Appeal on board for admission on 12.03.2007.

**(J.P.DEVADHAR, J.)** **(DR.S.RADHAKRISHNAN,J.)**